

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

UNITED STATES OF AMERICA,)	Criminal Case No. 6:09cr00006-1
)	
v.)	<u>FINAL ORDER</u>
)	
JERRY WALLACE CARTER, JR.,)	By: Norman K. Moon
Petitioner.)	United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** that Carter's motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255 (Docket No. 107) is **DISMISSED without prejudice** as successive and this action is **STRICKEN** from the active docket.

Further, finding that Carter has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c), a certificate of appealability is **DENIED**.

ENTER: This 17th day of September, 2015.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE